

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

DAN MEDINA,)
)
Plaintiff,)
)
v.) No. 05-30119-RGS
)
JOSEPH L. TAURO, et al.)
)
Defendants.)

MOTION TO CONSOLIDATE AND/OR ASSIGN TO THE SAME JUDGE

The defendant, the Honorable Joseph L. Tauro, by his attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, moves to consolidate this action with three related cases and/or to assign the four cases to a single judge. As grounds for this motion, the defendant states as follows:

1. The plaintiff filed four separate lawsuits in state court against the following defendants: the Honorable Joseph L. Tauro; the Honorable Mark L. Wolf; United States Attorney General Alberto Gonzales; and Federal Bureau of Investigation Director Robert S. Mueller, III.

2. On May 23, 2005, the defendants removed the actions to the United States District Court for the District of Massachusetts, Western Section, because the lawsuits had been filed in Springfield. The clerk transferred the cases to Boston. The four cases are United States v. Tauro, 05-30119-RGS; United States v. Gonzales, 05-30121-MLW; United States v. Wolf, 05-30118; and United States v. Mueller, 05-30120.

3. In the four cases, the plaintiff alleges unspecified wrongdoing by the Department of Justice and the Federal Bureau of Investigation. The defendants anticipate filing similar motions to dismiss. Assignment of the four cases to a single judge will facilitate their disposition. The lawsuits should be assigned to a judge other than Judge Wolf and Judge Tauro since they named as defendants.

The undersigned Assistant U.S. Attorney respectfully requests that she be excused from the conference requirements of Local Rule 7.1, due to the fact that the pro se plaintiff is incarcerated.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

Dated: June 6, 2005

By: /s/Karen L. Goodwin
KAREN L. GOODWIN
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CERTIFICATE OF SERVICE

This is to certify that I have this day served upon the person listed below a copy of the foregoing document by depositing in the United States mail a copy of same in an envelope bearing sufficient postage for delivery:

Dan Medina
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Christopher O. Quaye
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/s/Karen L. Goodwin
Karen L. Goodwin
Assistant U.S. Attorney